

MINUTES

CASE NUMBER: CR 03-00490SOM
CASE NAME: USA vs. John Hata II
ATTYS FOR PLA: Darren Ching
Derek Kim (USPO)
ATTYS FOR DEFT: Loretta Faymonville
INTERPRETER:

JUDGE: Susan Oki Mollway

REPORTER: Debra Chun

DATE: 10/12/2007

TIME: 11:20 - 11:40

COURT ACTION: EP: Order to Show Cause Why Supervised Release Should Not Be Revoked -

Defendant John Hata II present and in custody.

Defendant admits to all 11 violations.

Court finds that there is sufficient evidence to support the violations and the defendant has not met the conditions of supervision.

Supervised release is revoked.

ADJUDGED:

Imprisonment: 9 Months.

Supervised Release: 27 Months.

CONDITIONS:

- ▶ That the defendant shall abide by the standard conditions of supervision.
- ▶ That the defendant not commit any crimes, federal, state, or local (mandatory condition).
- ▶ That the defendant not possess illegal controlled substances (mandatory condition)
- ▶ That the defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of commencement of supervision and at least two drug tests thereafter but no more than 8 valid drug tests per month during the term of supervision, unless there is a positive drug test, in which event the maximum shall increase to up to one valid drug test per day.
- ▶ That the defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.
- ▶ That the defendant shall participate in and comply with substance abuse treatment which includes drug and alcohol testing in a program approved by the Probation Office. The defendant is to refrain from the possession and/or use of alcohol while participating in substance abuse treatment.
- ▶ That the defendant shall submit his person, residence, place of employment, or vehicle to a search conducted by the U.S. Probation Office at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of supervision. Failure to submit to a search may be grounds for revocation. The defendant shall warn any other resident that the premises may be subject to search pursuant to this condition.
- ▶ That the defendant shall execute all financial disclosure forms and provide the Probation Office access to any access to any requested financial information.
- > That the defendant provide the Probation Office a copy of his monthly cellular telephone records.
- > That the defendant is not allowed to reside with any relative during the period that begins from the 181st day after his release from prison and continuing for the remainder of his supervised release period.

Defendant advised of his right to appeal.

Defendant remanded to the custody of the USM.

Mittimus forthwith.

Submitted by: Toni Fujinaga, Courtroom Manager.